

REMARKS

Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 are pending in the current application. Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 currently stand rejected, and claims 1, 2, 6, 7, 9, 16, 18, 20, 21, 24, 26, 29, 37, and 44 have been amended. Reconsideration and withdrawal of the rejections to claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview

Applicants thank the Examiner for her time and consideration during the interview of January 28, 2010. During the interview, the parties discussed the current rejections to the claims and the applied references Kato and Hirayama. Applicants proposed claim language including “information for identifying a total number of playback paths associated with the playitem.” The Examiner indicated that this language appeared to read on FIGS. 9A-9C of Hirayama unless further clarification of “path” or the “association with the playitem” was included in the claims. Applicants have thus amended the claims differently to recite “clip files and identifying the information files associated with the clip files of the playing interval” and have offered further comments below as to how this language distinguishes over the applied references.

The Applicants also discussed how the current claims defined “multi-path” video data whereas Kato appeared to teach, in FIG. 7, single path video

data with multiple-paths for non-video data, such as audio data. The Examiner indicated that further consideration of Kato would be required. Applicants have included further remarks below explaining this difference between the claims and Kato.

The parties further discussed amendments to the claims to overcome allegedly nonstatutory “computer readable medium” phrases in the claims. The Examiner indicated that amending the claims to recite a “non-transitory recording medium” would avoid any potential rejections under § 101. Applicants have amended the claims somewhat differently as an “optical computer readable medium” and earnestly request the Examiner’s feedback regarding such language under § 101.

Entry of Amendment Requested

Applicants respectfully request entry of the preceding claim amendments following the closing of prosecution in the current application. As discussed below, the claims are argued as patentable as previously presented, such that the amendments to the claims maintain them in allowable condition. Entry of such amendments placing the application in condition for allowance is permitted under 37 C.F.R. § 1.116, and Applicants respectfully request entry of the instant claim amendments.

Even if the Examiner denies the amendments entry, Applicants respectfully request that the Examiner indicate in the Advisory Action whether

the amendments, if entered, would overcome any potential § 101 rejections and rejections over the currently-applied art.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat 5,884,004 to Sato et al. (“Sato”) in view of US Pat Pub 2002/0145702 to Kato et al. (“Kato”) and US Pat 5,819,003 to Hirayama et al (“Hirayama”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner alleges that Kato, FIG. 25, discloses “a playlist directory storing at least one playlist file including at least one playitem, the plurality of clip files being associated with the playlist, the playitem identifying a playing interval in the plurality of clip files,” wherein **each clip file is “associated with one path of the multiple playback paths.”** Applicants respectfully submit that Kato does not disclose multiple playback paths or clip files associated with different paths. Particularly, Kato discloses **clips arranged in a same, fixed sequence** out of a single AV stream, and individual playlists set different in and out points of these static clips. See, Kato, ¶¶ [0179]-[0180]; FIG. 6A, 6B, 24A-C. A same sequence of clips cannot form multiple playback paths. As such, where Kato identifies individual clip files with its playlists, those clip files are associated with a single path.

With further regard to claim 1, Applicants note that this claim has been amended to recite a “the playitem identifying the information files associated

with the clip files of the playing interval.” None of the applied references appear to disclose a single playitem identifying the necessary information files including mapping data for clip files of several different paths. The claim has also been amended to recite “the video data including a plurality of data packets, each data packet having a packet number differentiating the data packet” and “the map identifying at least one entry point for the associated clip file by identifying the packet number of the data packet of the at least one entry point.” None of the applied references appear to disclose any identifier on individual data pieces, let alone use of such identifiers for entry points. As such, Sato, Kato, and Hirayama lack the recited playitem-information file relationship or packet numbers differentiating the data packets of video data, as recited in claim 1 as amended.

Sato and Hirayama do not cure the differences between claim 1 and Kato, discussed above. Because Kato, alone or in combination with Hirayama and Sato, fails to teach or suggest each and every element of claim 1, these references cannot anticipate or render obvious claim 1. Similarly, claims 16 and 18-21 recite the same unique features of claim 1 discussed above and are thus allowable over Sato, Kato, and Hirayama at least for reciting these features. Claims 2, 6, 7, 9, 17, 23-26, 29, 30, 32, 33, 37, and 44 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

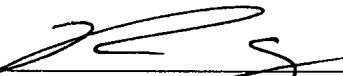
Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 in connection with the present application is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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